



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, }  
Plaintiff, }  
v. }  
Andres Yopez }  
Defendant. }

CASE NO. 12 CR-780-SVW-21

ORDER OF DETENTION

I.

- A. ( ) On motion of the Government in a case allegedly involving:
1. ( ) a crime of violence.
  2. ( ) an offense with maximum sentence of life imprisonment or death.
  3. ( ) a narcotics or controlled substance offense with maximum sentence of ten or more years .
  4. ( ) any felony - where the defendant has been convicted of two or more prior offenses described above.
  5. ( ) any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C § 2250.
- B. ( ) On motion by the Government / ( ) on Court's own motion, in a case

1 allegedly involving:

2 (✓) On the further allegation by the Government of:

3 1. (✓) a serious risk that the defendant will flee.

4 2. ( ) a serious risk that the defendant will:

5 a. ( ) obstruct or attempt to obstruct justice.

6 b. ( ) threaten, injure, or intimidate a prospective witness or juror or  
7 attempt to do so.

8 C. The Government (✓) is/ ( ) is not entitled to a rebuttable presumption that no  
9 condition or combination of conditions will reasonably assure the defendant's  
10 appearance as required and the safety of any person or the community.

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## II.

13 A. (✓) The Court finds that no condition or combination of conditions will  
14 reasonably assure:

15 1. (✓) the appearance of the defendant as required.

16 ( ) and/or

17 2. ( ) the safety of any person or the community.

18 B. ( ) The Court finds that the defendant has not rebutted by sufficient  
19 evidence to the contrary the presumption provided by statute.

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## III.

22 The Court has considered:

23 A. the nature and circumstances of the offense(s) charged, including whether the  
24 offense is a crime of violence, a Federal crime of terrorism, or involves a minor  
25 victim or a controlled substance, firearm, explosive, or destructive device;

26 B. the weight of evidence against the defendant;

27 C. the history and characteristics of the defendant; and

28 D. the nature and seriousness of the danger to any person or to the community.

1 IV.  
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The Court also has considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report/recommendation.

6 V.  
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The Court bases the foregoing finding(s) on the following:

9 A. () As to flight risk: \_\_\_\_\_  
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24 B. ( ) As to danger: \_\_\_\_\_  
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27 \_\_\_\_\_  
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VI.

A. ( ) The Court finds that a serious risk exists that the defendant will:

1. ( ) obstruct or attempt to obstruct justice.
2. ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.

1 B. The Court bases the foregoing finding(s) on the following:

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9 VII.

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A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.

2 B. IT IS FURTHER ORDERED that the defendant be committed to the

3 custody of the Attorney General for confinement in a corrections facility

4 separate, to the extent practicable, from persons awaiting or serving

5 sentences or being held in custody pending appeal.

6 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable  
7 opportunity for private consultation with counsel.

8 D. IT IS FURTHER ORDERED that, on order of a Court of the United States  
9 or on request of any attorney for the Government, the person in charge of  
0 the corrections facility in which the defendant is confined deliver the  
1 defendant to a United States marshal for the purpose of an appearance in  
2 connection with a court proceeding.

<sup>3</sup> See also the discussion of the relationship between the concept of ‘cultural capital’ and the concept of ‘cultural value’ in the introduction.

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*5* *John* *Ward*

DEC 20 2018

**DATED:** \_\_\_\_\_

PATRICK J. WALSH  
UNITED STATES ATTORNEY FOR THE DISTRICT OF COLUMBIA

UNITED STATES MAGISTRATE JUDGE

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For more information about the study, please contact Dr. Michael J. Hwang at (310) 206-6500 or via email at [mhwang@ucla.edu](mailto:mhwang@ucla.edu).

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ORDER OF DETENTION AFTER HEARING (18 U.S.C. §3142(f))

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**ORDER OF DETENTION AFTER HEARING (18 U.S.C. §3142(j))**